



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

PO Box 1100 -La Conner, Washington 98257

May 24, 2004

Ms. Megan White – SEPA Responsible Official
ATTENTION: Ms. Allison Ray
Alaska Way Viaduct Project Office (Wells Fargo Bldg.)
999 Third Ave., Suite 2424
Seattle, WA 98104

Dear Ms. White:

SUBJECT: State Environmental Policy Act Document; City of Seattle – WSDOT – FHWA Project Co-Proponents, Alaska Way Viaduct and Seawall Replacement Project Draft EIS, Elliott Bay, King County, WRIA 09.0001 Marine

The Washington Department of Fish and Wildlife (WDFW) has reviewed the above-referenced State Environmental Policy Act (SEPA) document received on April 1, 2004, and offers the following comments at this time. Other comments may be offered as the project progresses. The DEIS Discipline Reports Appendix R and S are little changed from the versions reviewed in February 2004. Please incorporate by reference the 2/27/04 App. R, and 3/4/04 App. S WDFW comments provided to your office.

We appreciate the early involvement and coordination that the co-proponents have so far done on this project. We would appreciate receiving a copy of the Biological Assessment when it is provided to the Federal services for their review. There will be close coordination between WDFW, and the services concerning impacts to endangered species, aquatic resources, and water quality during construction.

It appears from the general description of the project alternatives, that a Hydraulic Project Approval (HPA; Chapter 77.55 RCW, WAC 220-110) to be issued by WDFW, will be required for the project. There is, however, insufficient project detail to determine specific conditions to be placed on the project at this stage of the project development. We will continue to participate in the RALF/SAC process, the selection of the preferred alternative, and provide further review and formal comment at the Final EIS stage.

Once final design plans are available, please submit a completed Joint Aquatic Resource Permits Application (JARPA) for an HPA, including complete plans and specifications, to WDFW for review. The plans and specifications should be developed relative to Mean Higher High Water (MHHW), (Datum, Mean Lower Low Water [MLLW] = 0.0 feet). The drawings should accurately depict existing conditions including all prominent natural features and manmade improvements on the bank and beach in the immediate vicinity of the project area. They should include plan and cross-sectional views of the proposed project, a vicinity map of the project area, and accurate directions to the project site. You should allow 45 days from the receipt of a complete application and written notice of compliance with the SEPA process for processing of the HPA.

The following are points that need to be more fully developed, for presentation in the Final EIS:

1. **SEPA** – Under all the alternative descriptions, the proposed construction of a new WSDOT Ferries over-water pier (at Colman Dock) is mentioned. Very limited details of this proposed pier are presented. It is not clear whether, or not, this DEIS for the Alaska Way Viaduct and Seawall Replacement Project is expected to also cover this proposed pier. If this project is to be included, far more detail will need to be provided. Mitigation for pier impacts is also likely.
2. **Partial Collapse of Seawall during reconstruction** – From information presented in RALF meetings and documents, and scattered in these DEIS documents, it is certain that the condition of the seawall and the relieving platform is poor. There are an unknown number of voids behind the seawall, and the wooden connections between the relieving platform and the seawall are

tenuous at best. It appears likely that during construction of the new seawall, the additional machinery weight, vibration, and power grouting will cause partial collapse of sections of the seawall, and release of polluted sediments, and high pH grout into the marine environment. The FEIS needs to provide a thorough discussion of this worse case partial collapse, impact of high pH cementitious material on marine organisms, and methods to prevent pollution and damage to marine organisms.

3. **Reconstruction of seawall face** – In the FEIS, it is necessary to provide detailed drawings of the proposed finished face of the seawall, including any riprap. It is necessary to discuss the habitat impact of riprap in the nearshore marine environment. The existing vertical seawall face is not preferred nearshore habitat for many marine species, including juvenile salmonids. It is necessary to improve the habitat value of the Elliott Bay shallow nearshore adjacent to the re-constructed seawall.
4. **Hazardous Sediments in Elliott Bay** – A more complete discussion, and mapping of the polluted sediments along the seawall and other areas disturbed by construction will be needed. It may be necessary to do additional project-specific benthic sediment, and organism sampling in the areas likely to be disturbed. Good information exists in the Appendices, but it should be brought together in the body of the FEIS. The mapping to date appears to have avoided the under pier areas, and the areas nearest the seawall. There should be a thorough discussion of the fate of these pollutants in the aquatic environment, their impact to aquatic life likely to be exposed during construction, and proposals to remove the sediments, or cap them, and how to avoid their disturbance during demolition/construction.
5. **CSO Outfalls** – There should be a detail drawing of the CSO outfalls impacted by this project, the bathymetry of the immediate area, aquatic resources which exist there now, and detailed mapping of polluted sediments associated with them. One CSO is proposed for moving further offshore; this may be useful for more of them. As in comment 2 above, a discussion of the impacts of disturbing polluted sediments, and the possible restoration of these sites, should be included.
6. **Staging Areas** – It is necessary in the FEIS to provide detail on staging areas, barge access, falsework, shoring, etc., and how their use may affect the nearshore environment, disturb polluted sediments, and affect marine organisms.
7. **Stormwater** – Various alternatives will use Convey and Treat, or BMP's and direct discharge. Please make clear why one method was chosen for the alternative, and not another.
8. **Treatment of dewatering effluent** – Myriads of pollutants exist in the materials to be excavated, and in the surrounding sediments that will experience de-watering. Detailed mapping of these historically grossly polluted sites has already been presented. Excavation and de-watering will continue for many years, during all seasons. Once the preferred alternative is selected, a thorough discussion of treatment methods, locations of marine discharge, effluent monitoring and action levels of effluent pollutants, and impact to aquatic organisms are necessary. Permitting for the discharge should proceed more easily once this disclosure is made.
9. **Fire Suppression Chemical Discharge** - The manufacturer recommends not releasing these chemicals into the water, yet that appears to be the intent with this project. Bioassay organisms quoted in the discipline report are for the most part freshwater, not marine. The fish species used are not those from nearshore Puget Sound, nor are there local plankton species.
10. **Mitigation/restoration site development** – Once a preferred alternative is selected, further detailed design of mitigation site work can proceed. WDFW requests continued inclusion on the design team for such mitigation site work. Various alternatives have been briefly discussed elsewhere; site work, methods, monitoring, etc. should be presented thoroughly in the FEIS. Detail drawings and construction schedule should be included within the FEIS. Will SEPA/NEPA for the proposed Mitigation site work be covered by the FEIS for the Viaduct/Seawall, or will separate review be necessary? Stormwater - intercepted groundwater – It may be that this large volume of water, if clean enough, may be useful as part of mitigation/restoration site development along the seawall. It may be that the coarse sands and gravels now between the street surface

and the top of the relieving platform, if clean enough, may be useful to place in the shallow nearshore.

We encourage the further refinement of construction methods and pollution abatement once the preferred alternative is chosen. WDFW requests being an active participant in these design discussions, rather than to just receive the JARPA application at the end of design and immediately prior to the advertised contract date.

Thank you for the opportunity to provide these comments. If you have any questions, please contact me at (360) 466-4345 x 256.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kurt D. Buchanan".

Kurt D. Buchanan
Transportation Liaison

KDB:kdb

cc: SEPA Coordinator, WDFW
SEPA Coordinator, Ecology
R. Costello - WDFW Region 4
M. Grady - NOAA Fisheries